

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TRUSTEES OF THE U.A. LOCAL 393 )  
PENSION FUND and THE U.A. LOCAL )  
393 HEALTH AND WELFARE TRUST )  
FUND, )  
Plaintiffs, )  
v. )  
ROEBER'S INCORPORATED, )  
Defendant. )  
\_\_\_\_\_ )

Case No.: C 10-04915 PSG

**ORDER DISSOLVING JANUARY 5,  
2011 ORDER TO SHOW CAUSE**

On January 4, 2011, counsel for Defendant failed to appear for the case management conference. This court subsequently ordered Defendant to respond in writing no later than January 13, 2011 to an order to show cause why the answer should not be stricken, default entered, and a default judgment issued against Defendant. Mr. Roger Mason, attorney for Defendant, filed a timely response stating that his legal assistant erroneously removed the case management conference from his calendar. *See* Decl. of Roger M. Mason (Docket No. 39-1) and Decl. of Christine Hilton (Docket No. 39-2).

The court accepts the representations of Mr. Mason and his assistant that his failure to appear on behalf of Defendant was unintentional. IT IS HEREBY ORDERED that the Order to

1 Show Cause issued on January 5, 2011 is dissolved.

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3 Dated: January 14, 2011

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5 PAUL S. GREWAL  
6 United States Magistrate Judge  
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